

**REMARKS:**

Favorable reconsideration of this application is respectfully requested.

Claim 1 was rejected under 35 U.S.C. section 103(a) as being unpatentable over Fletcher, et al. (U.S. 3,907,686) in view of DeVisser, et al., (U.S. 4,297,209), which were previously of record, and in view of Macia, et al. (U.S. 5,490,924), which is newly cited. Claim 8 was rejected under 35 U.S.C. section 103(a) as being unpatentable over Fletcher, et al. in view of DeVisser et al. as applied to claim 1, and further in view fo Caracciolo (U.S. 5,632,903) which is of record.

**The Last Amendment Distinguished the Present Invention**

**From Fletcher, et al. and DeVisser, et al.**

The last Amendment noted that while DeVisser, et al. may teach a rotating backwash shower/spray assembly, a problem is that debris dislodged from the filter does not have a direct flow path out of the filter chamber. As shown in DeVisser FIGURE 4, dislodged debris must flow longitudinally within the cylindrical housing 17 between the filter element 31 and the housing peripheral wall 21 to and against an annular wall 47 extending across the housing periphery, whereupon the flowing debris must make a right angle turn, and upon abruptly changing flow direction must move along and around annular wall 47 to exit through a perpendicular solids outlet pipe 66 in the side of the housing. As a result the flow of debris is hampered and slowed, and debris could accumulate on annular wall 47, blocking entrance to solids outlet pipe 66.

Macia, et al. Does Not Supply What the Prior References  
Are Missing

The Action states that newly cited Macia, et al. - generally teaches the combination of housing and backwashing features that DeVisser and Fletcher were deficient in. -

It is respectfully submitted that Macia, et al., does not supply the key feature missing from both Fletcher, et al. and DeVisser, et al. identified in the last Amendment, namely, an unobstructed flow path for dislodged debris through port in a longitudinal end of the filter chamber along the filter housing longitudinal axis.

Macia, et al., Figure 5 shows the backwash mechanism, and the arrows in this figure show the direction of flow of the backwash containing dislodged debris. As the arrows show, the backwash and debris flow toward and then against beveled tank floor 46 and then have to abruptly change direction to exit through a laterally positioned conduit containing backwash valve 16. (Please note that the Macia, et al. outlet conduit 20 is not outlet for backwash.) Thus Macia, et al. does not discharge through a longitudinal end of the filter chamber along the filter housing longitudinal axis, and as a result flow in Macia, et al., is hampered and debris can build up on the beveled tank floor 46.

Claim 1 was amended in the last paper to specifically include the limitations of -a bypass outlet opening out of one of said housing longitudinal ends along said housing longitudinal axis-. Neither the previously cited references nor newly cited

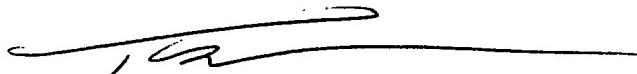
Macia, et al. teach this feature. Therefore it is believed that claim 1 as previously amended is patentably distinguished from all of the cited references, and as a result claim 1 and claim 8 depending therefrom should be allowable.

In view of the foregoing considerations, it is respectfully urged that amended claim 1, and 8 depending therefrom be allowed. Such action is respectfully requested.

If there are any reservations about allowing these claims, a telephone interview is respectfully requested.

A Petition for Extension of Time is enclosed herewith, including authorization to charge the extension fee to the deposit account of the undersigned.

Respectfully submitted,

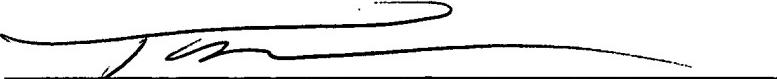
  
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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 16th day of December, 2009.

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Applicant: Alberto DiBella  
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